

THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

GRADY O. HUMPHREYS, et al.,)
)
Plaintiffs,)
)
vs.) CIVIL ACTION NO. 2:07-cv-607-WKW
)
A.O. SMITH ELECTRICAL, et al.,)
)
Defendants.)
)

NOTICE OF TAG-ALONG ACTION

COME NOW the Defendants, The Lincoln Electric Company and Hobart Brothers Company, (hereinafter "Defendants"), and hereby submit this, their Notice of Tag-Along Action, and show the Court as follows:

PLEASE TAKE NOTICE THAT on July 29, 1991, the Judicial Panel on Multidistrict Litigation entered an order transferring all asbestos cases pending in federal court to the United States District Court, Eastern District of Pennsylvania, for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407 ("MDL Transfer Order"). That order also applies to "tag-along actions," or actions involving common questions of fact filed after the January 17, 1991 filing of the Panel's order to Show Cause. MDL Rule 7.5(e) provides:

Any party or counsel in actions previously transferred under Section 1407 or under consideration by the Panel for transfer under Section 1407 shall notify the Clerk of the Panel of any potential "tag-along actions" in which that party is also named or in which that counsel appears.

The undersigned hereby notifies the Court that this case is a potential "tag-along

action" which may be subject to transfer to the Eastern District of Pennsylvania. The Clerk of the Panel may either: (1) enter a conditional transfer order pursuant to MDL Rule 7.4(a), or (2) file an order to show cause why the action should not be transferred, pursuant to MDL Rules 7.5(b) and 7.3.

/s Timothy W. Knight
Timothy W. Knight (KNI021)

/s Lucy W. Jordan
Lucy W. Jordan (JOR037)
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Electric Company and Hobart Brothers
Company

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CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of August, 2007, a copy of the foregoing pleading was filed electronically using the CM/ECF system. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail.

I further certify that on this 10th day of August, 2007, the foregoing, together with copies of the docket sheet and complaint, has been sent via U.S. Mail, postage prepaid to the following:

Clerk of the Panel
Judicial Panel on Multidistrict Litigation
Thurgood Marshall Federal Judiciary Building
One Columbus Circle, N.E., Room G-255, North Lobby
Washington, D.C. 20002-8004

/s Timothy W. Knight
OF COUNSEL